

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

RECEIVED
AUG 4 2004

Case No. 5439
Date Filed 8/3/04
Hearing Date _____
Receipt _____
Fee 150.00

Shaded Areas for Office Use Only

Type of Application

- ☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☐ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code _____

CASE 5439 MAP 41 TYPE Variance

ELECTION DISTRICT 3 LOCATION 1622 Cass Drive, Bel Air, Md/ 21015

BY Raymond G. & Joan C. Strickroth

Appealed because a variance pursuant to Section 267-36B, Table V and 267-23C(1)(a)(2) of the Harford County Code to allow a front porch within the required 32 foot front yard setback (30 foot proposed) in a R2 District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name Raymond G. & Joan C..Strickroth Phone Number 410-879--5219

Address 1622 Cass Drive Bel Air MD 21015
Street Number Street City State Zip Code

Co-Applicant None Phone Number _____

Address _____
Street Number Street City State Zip Code

Contract Purchaser None Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative None Phone Number _____

Address _____
Street Number Street City State Zip Code

Land DescriptionAddress and Location of Property 1622 Cass Drive - Bel Air, MD 21015Subdivision Greenridge II Plat 2 of Section XLot Number 465Acreage/Lot Size 100'x108'Election District 03Zoning Residential-2Tax Map No. 41 Grid No. 0004F Parcel 0617 Water/Sewer: Private Water Public SewerageList ALL structures on property and current use: House, Small Temporary Storage ShedEstimated time required to present case: 30 MinutesIf this Appeal is in reference to a Building Permit, state number NAWould approval of this petition violate the covenants and restrictions for your property? NAIs this property located within the County's Chesapeake Bay Critical Area? Yes No XIf so, what is the Critical Area Land Use designations: N/AIs this request the result of a zoning enforcement investigation? Yes No XIs this request within one (1) mile of any incorporated town limits? Yes No X**Request**

We are requesting a minor area variance so that we can extend our front porch with a permanent cover approximately 2.5 feet in the 35 foot setback line.

Justification

We are applying for a variance so that we can build a porch onto the front of our house. This will help keep sun out of our livingroom, improve the appearance of our home and allow us to use the porch for our leisure time. It would also help keep our basement dry during a northeastern storm by keeping the water away from the front wall in that area.

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

S 22° 30' 20" W
100.46

35'-0"

50'-0" R.W.

58'

#1622

EXISTING HOUSE

28'

16'-10"

18'-3"

8'

NEW PORCH
REPLACEMENT

94.43

N 67° 29' 40" W

PORDEY CT.

35'-0"

30'

A 93.47

S 25° 03' 52" E
20.24

REPLACE EXIST.
CONC DRIVE & WALK

DR.

50'-0" R.W.

JAMES M. HARKINS
HARFORD COUNTY EXECUTIVE

JOHN J. O'NEILL, JR.
DIRECTOR OF ADMINISTRATION



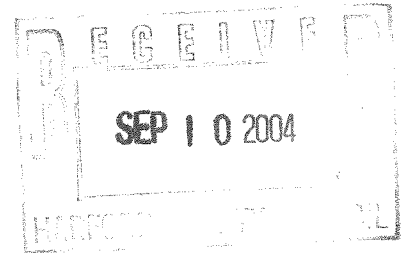
J. STEVEN KALL-ZIEGLER
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

September 9, 2004

STAFF REPORT



BOARD OF APPEALS CASE NO. 5439

APPLICANT/OWNER: Raymond G. and Joan C. Strickroth
1622 Cass Drive, Bel Air, Maryland 21015

REPRESENTATIVE: Applicant

LOCATION: 1622 Cass Drive – Greenridge II
Tax Map: 41 / Grid: 4F / Parcel: 0617 / Lot: 465
Election District: Third (3)

ACREAGE: 0.248 of an acre

ZONING: R2/Urban Residential District

DATE FILED: August 3, 2004

HEARING DATE: October 6, 2004

APPLICANT'S REQUEST and JUSTIFICATION:

Request:

“We are requesting a minor area variance so that we can extend our front porch with a permanent cover approximately 2.5 feet in the 35 foot setback line.”

Justification:

“We are applying for a variance so that we can build a porch onto the front of our house. This will help keep sun out of our living room, improve the appearance of our home and allow us to

Preserving our values, protecting our future

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410-638-3000 • 410-879-2000 • TTY 410-638-3086 • www.co.ha.md.us

This document is available in alternative format upon request.

STAFF REPORT

Board of Appeals Case Number 5439

Raymond G. and Joan C. Strickroth

Page 2 of 4

use the porch for our leisure time. It would also help keep our basement dry during a northeastern storm by keeping the water away from the front wall in that area.”

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Sections 267-36B, Table V and 267-23C(1)(a)[2] of the Harford County Code to allow a front porch within the required 32 foot front yard setback (30 foot proposed) in an R2/Urban Residential District.

Enclosed with the report is a copy of Section 267-36B, Table V of the Harford County Code (Attachment 1).

Section 267-23C(1)(a)[2] of the Harford County Code reads:

- (a) *The following structures shall be allowed to encroach into the minimum yard requirements, not to exceed the following dimensions:*
- [2] *Bay windows, balconies, chimneys or porches: three (3) feet.*

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The subject property is located in the Greenridge II development. The Applicants’ lot is situated on the northwest side of Cass Drive approximately midway between Prindle Drive to the southwest and Mauser Road to the east. A location map and a copy of the Applicants’ site plan are enclosed with the report (Attachments 2 and 3).

This area of the County is located within the eastern portion of the Development Envelope. The predominant land use designations include Low and Medium Intensities within the Development Envelope and Agricultural outside of the Development Envelope. Other land use designations include a Neighborhood Center. The Natural Features map reflects stream systems and Maryland Environmental Trust Easements. The Applicants’ property is located within the Low Intensity Designation, which is defined by the 2004 Master Plan as:

Low Intensity – Areas within the Development Envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices, and banks are examples of some of the nonresidential uses associated with this designation.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

STAFF REPORT

Board of Appeals Case Number 5439

Raymond G. and Joan C. Strickroth

Page 3 of 4

Land Use – Existing:

The existing land uses in this area of the County conform to the overall intent of the 1996 Master Plan. The topography of the area generally ranges from gently rolling to steep, especially near the stream valleys. Residential uses include single-family homes, garden apartments, townhouses and condominiums. Commercial uses are located along Churchville Road (MD 22). Enclosed with the report is a topography map and a copy of the aerial photograph (Attachments 6 and 7).

The Applicants' property is square in shape and is approximately 0.248 of an acre in size. The topography of the property is considered gently sloping. It rises gently from the road to the front of the dwelling and then from the rear of the dwelling slopes gently downward to the rear property line. The site plan shows the lot as a corner lot, which is how it was originally recorded. The enclosed copy of the record plat (Attachment 8 – Plat 23-97 recorded in February 1971) shows the lot with frontage on Cass Drive and Purdey Court. The amended plat (Attachment 9 – Plat 94-75 recorded in July 1998) eliminated Purdey Court and established four lots on panhandles. Improvements consist of an all brick rancher with a sunroom incorporated into the design of the dwelling off of the left rear corner of the dwelling, and concrete driveway and walks. The property is nicely landscaped and all improvements appear to be well maintained. Enclosed with the report is an enlargement of the aerial photograph and site photographs (Attachments 10 and 11).

Zoning:

The zoning classifications conform to the overall intent of the 2004 Master Plan as well as the existing land uses. Residential zoning ranges from R1 to R3/Urban Residential Districts. Commercial zoning includes B2/Community Business District and RO/Residential Office. Immediately to the east and south of the Greenridge Development the area is predominantly zoned AG/Agricultural. The subject property is zoned R2/Urban Residential District as shown on the enclosed copy of the Zoning Map (Attachment 12).

SUMMARY:

The Applicants are requesting a variance pursuant to Sections 267-36B, Table V and 267-23C(1)(a)[2] of the Harford County Code to allow a front porch within the required 32 foot front yard setback (30 foot proposed) in an R2/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the Applicants must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

STAFF REPORT

Board of Appeals Case Number 5439

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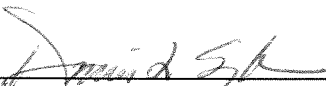
Page 4 of 4


The proposed porch will serve to block sun from the front of the dwelling as well as help to keep the front basement wall dry during wet weather. The front yard setback for the District is 35 feet and the Code allows front porches to encroach into the setback 3 feet. The Applicants are proposing an 8 foot by 18 foot porch (Attachment 13), which will reduce the front yard setback in the area of the front porch to 30 feet. The proposed 2 foot reduction in the front yard setback will not have an adverse impact on the intent of the Code or on adjacent properties. Because of the curvature of Cass Drive, the encroachment into the front yard setback would be difficult to see without actually measuring the distance. The Department would recommend that landscaping be planted along the front of the porch.

RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the request for the front porch be approved subject to the following conditions:

1. The Applicants shall obtain all necessary permits and inspections for the porch.
2. Landscaping similar to what presently exists shall be planted along the front of the porch. The Applicants shall submit a landscaping plan to the Department of Planning and Zoning for review and approval prior to issuance of the building permit for the porch.


Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review


Anthony S. McClune, AICP
Deputy Director, Planning and Zoning

DJS/ASM/ka